

U.S. Environmental Protection Agency, Region 6
Enforcement Actions Closed or Concluded in the State of Texas for the 2nd Quarter of Fiscal Year 1998
(January 1998 - March 1998)

#	State	Statute	Facility Name	Date Final	Type of Action ¹	Penalty Amount ²	SEP ³
1	TX	CERCLA 103	ADVANCED AROMATICS, L.P.	1/26/98	CACO	\$1,400	\$4,000
2	TX	CWA 301	ADVANCED AROMATICS, L.P.	1/08/98	A.O.		
3	TX	CAA 114	AGE REFINING, INC.	3/17/98	A.O.		
4	TX	CWA 301	AIRLINE PLATING, INC	3/20/98	A.O.		
5	TX	CWA 301	ALEX ZUNIGA	1/15/98	A.O.		
6	TX	EPCRA 313	AMERICAN PRODUCTS COMPANY, INC.	3/30/98	CACO	\$18,700	
7	TX	CWA 301	ARNOLD TRUCKING, INC.,	2/17/98	A.O.		
8	TX	CWA 301	BARRY, BETTE, AND LED DUKE	2/09/98	A.O.		
9	TX	CAA	BASIS PETROLEUM, INC.	3/06/98	C.J.	\$75,000	
10	TX	CAA	BASIS PETROLEUM, INC.	3/06/98	C.J.	\$175,000	
11	TX	CERCLA 103	BAYER CORPORATION	2/27/98	CACO	\$27,500	\$10,000
12	TX	CWA 301	BERGER DAIRY	3/31/98	A.O.		
13	TX	TSCA	BILL JETER, INC.	3/03/98	CACO	\$20,000	
14	TX	RCRA	BRK ELECTRONICS	2/26/98	CACO	\$12,000	
15	TX	CWA 404	CACTUS, CITY OF	2/17/98	A.O.		
16	TX	CWA 311	CHARLES B. WILSON, JR., INC.	2/11/98	CACO	\$10,000	
17	TX	CWA 301	CHICO, CITY OF	3/31/98	A.O.		
18	TX	CAA	CHRISTIAN'S CAR CENTER, INC.	3/20/98	A.O.		
19	TX	EPCRA 313	COLEMAN WOOD PRODUCTS, INC.	3/02/98	CACO	\$8,444	
20	TX	CWA 301	COOKS LANE JOINT VENTURE AND COOPER EXCHANGE	1/26/98	CACO	\$10,000	
21	TX	CWA 301	CORNERSTONE C&M. INC	3/20/98	A.O.		
22	TX	CWA 301	CORPUS CHRISTI NAVAL AIR STATION	3/20/98	A.O.		
23	TX	CWA 301	DALLAS COUNTY WATER CONTROL	3/03/98	A.O.		
24	TX	CWA 301	DANIEL S. ROSCHERT, INC	1/08/98	A.O.		

1. A.O. = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is final/agreed amount.

3. SEP = Supplemental Environmental Project

#	State	Statute	Facility Name	Date Final	Type of Action ¹	Penalty Amount ²	SEP ³
25	TX	CWA 301	DAVID WHITAKER D/B/A DAVID'S AUTO WRECKER	1/15/98	A.O.		
26	TX	RCRA	DELCO ELECTRONICS CORPORATION	3/31/98	CACO	\$5,400	
27	TX	CWA 311	DINERO OIL CORPORATION	4/08/98	CACO	\$1,500	
28	TX	CWA 301	DONCAVER D.B.A. AS TRUSTEE FOR FRY FAMILY	3/06/98	A.O.		
29	TX	CWA 311	DUER WAGNER & CO.	2/27/98	CACO	\$600	
30	TX	CAA 112	DYNAGEN INCORPORATED	3/13/98	CACO	\$35,000	
31	TX	CWA 301	ELF ATOCHEM NORTH AMERICA, INC.	3/20/98	A.O.		
32	TX	CWA 301	EMBRY PARTNERS, LTD.	2/04/98	CACO	\$11,850	
33	TX	CWA 301	ENCORE WIRE CORP.	2/17/98	A.O.		
34	TX	RCRA	EWD, L.L.C.	3/31/98	CACO	\$9,900	
35	TX	CWA 301	GARLAND, CITY OF	3/31/98	A.O.		
36	TX	CWA 301	GARRETT BRAND DAIRY	3/31/98	A.O.		
37	TX	CWA 301	GEORGIA GULF CORPORATION	1/13/98	A.O.		
38	TX	CWA 301	GULF COAST WASTE DISPOSAL AUTHORITY	3/03/98	A.O.		
39	TX	CWA 301	HARDIN COUNTY WCID # 1	3/06/98	A.O.		
40	TX	CWA 301	HARLINGEN, CITY OF	2/27/98	A.O.		
41	TX	CWA 301	HECTOR QUINONES D/B/A HECTOR'S AUTO	1/15/98	A.O.		
42	TX	CAA	HELMUTH E. MEY, D/B/A MEY'S FOREIGN AUTO	3/17/98	A.O.		
43	TX	CWA 301	HENRY FLORES D/B/A EL CAMINO AUTO PARTS	3/27/98	CACO	\$1,000	
44	TX	CWA 301	IBP; INCORPORATED	1/30/98	A.O.		
45	TX	CWA 301	JAMES BIRCHFIELD DAIRY	3/31/98	A.O.		
46	TX	CWA 301	JAMES RYNN - RYNN DAIRY	3/31/98	A.O.		
47	TX	CWA 301	JOLLEY PRINTING, INC.	2/17/98	A.O.		
48	TX	CWA 301	JOSE ANTONIO ESCARZAGA, D/B/A TONY'S AUTO SALVAGE	2/17/98	A.O.		
49	TX	CWA 301	JOSE GONZALEZ D/B/A GONZALEZ'S AUTO	1/15/98	A.O.		

1. A.O. = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is final/agreed amount.

3. SEP = Supplemental Environmental Project

#	State	Statute	Facility Name	Date Final	Type of Action ¹	Penalty Amount ²	SEP ³
50	TX	CWA 301	JOSE LOPEZ	1/15/98	A.O.		
51	TX	CWA 301	JOSE SOLIS D/B/A 3R'S AUTO SALVAGE	1/15/98	A.O.		
52	TX	CWA 301	JUAN NAVARRO	1/15/98	A.O.		
53	TX	EPCRA 313	KMCO INC.	3/12/98	CACO	\$31,875	
54	TX	CWA 301	KRUM, CITY OF	1/30/98	A.O.		
55	TX	CWA 311	LAMAR OIL & GAS CO., INC.	3/18/98	CACO	\$500	
56	TX	CWA 301	LARRY OBAR D/B/A OBAR SCRAP & SALVAGE	1/15/98	A.O.		
57	TX	CWA 301	LEGNA LAND DEVELOPMENT CO.MPANY	3/20/98	A.O.		
58	TX	CWA 301	MARLIN, CITY OF	3/20/98	A.O.		
59	TX	CAA 112	MCMaster PLATING, INC	2/25/98	A.O.		
60	TX	CWA 301	MCMaster PLATING, INC	2/26/98	A.O.		
61	TX	CWA 404	MIDLAND, CITY OF	2/17/98	A.O.		
62	TX	CWA 301	MIKE WHITELEY DAIRY	3/31/98	A.O.		
63	TX	CWA 301	MILLENNIUM PETROCHEMICALS, INC.	1/15/98	CACO	\$125,000	
64	TX	CWA 301	MORGAN, CITY OF	2/17/98	A.O.		
65	TX	CWA 301	MOUNT VERNON, CITY OF (WWTP)	1/13/98	A.O.		
66	TX	CAA	MR. JAMES PIERCE D/B/A J & M AUTO SERVICE	3/17/98	A.O.		
67	TX	CWA 301	MR. LEE ROY FAULKNER D/B/A ABA 35 TRUCK	1/26/98	CACO	\$1,000	
68	TX	CWA 311	NATIONAL ENERGY GROUP, INC	4/08/98	CACO	\$500	
69	TX	CWA 301	ORANGE COUNTY WCID NO. 2	3/03/98	A..O.		
70	TX	CWA 301	PAMPA, CITY OF,	3/03/98	A.O.		
71	TX	CWA 301	PLANO, CITY OF	1/26/98	A.O.		
72	TX	CWA 301	PORT ARTHUR, CITY OF	3/03/98	A.O.		
73	TX	CWA 311	PROBE OFFSHORE, LLC	4/08/98	CACO	\$400	
74	TX	CWA 301	PROGRESSIVE, INC.,	1/30/98	A.O.		
75	TX	CWA 311	QUEST RESEARCH & DEVELOPMENT CORP.	1/05/98	CACO	\$4,860	

1. A.O. = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is final/agreed amount.

3. SEP = Supplemental Environmental Project

#	State	Statute	Facility Name	Date Final	Type of Action ¹	Penalty Amount ²	SEP ³
76	TX	CWA 301	RAINBOW DAIRY	3/31/98	A.O.		
77	TX	TSCA	RENAISSANCE CHARTER SCHOOL	3/06/98	CACO	\$4,400	
78	TX	RCRA	REYNOLDS METALS COMPANY	3/31/98	CACO	\$13,249	
79	TX	CERCLA 106	ROCKWOOL INDUSTRIES	3/30/98	A.O.		
80	TX	CWA 301	RUBEN'S ELECTROPLATING INCORPORATED	2/10/98	A.O.		
81	TX	CAA 112	RUBEN'S ELECTROPLATING, INCORPORATED	1/30/98	A.O.		
82	TX	TSCA	SAINT MARY HALL	3/03/98	CACO	\$4,400	
83	TX	CWA 301	SAN MARCOS, CITY OF	3/03/98	A.O.		
84	TX	CWA 301	SHINTECH, INC.	3/03/98	A.O.		
85	TX	CWA 301	SOUTHWEST SHIPYARD, L.P.	3/06/98	A.O.		
86	TX	CWA 311	SOUTHWESTERN ENERGY PRODUCTION	3/18/98	CACO	\$500	
87	TX	CWA 301	STAN-BLAST ABRASVES CO., INC.	1/26/98	CACO	\$12,700	
88	TX	CWA 301	STEPHENVILLE, CITY OF	2/27/98	A.O.		
89	TX	TSCA	SUNKYONG AMERICA, INC.	3/31/98	CACO	\$124,700	
90	TX	CWA 301	TEMPLE-ISLAND FOREST PRODUCTS CO	3/31/98	A.O.		
91	TX	CWA 301	TEXAS DRYDOCK, INC	2/10/98	A.O.		
92	TX	TSCA	TEXAS INDUSTRIES, INC.	3/20/98	CACO	\$2,500	\$185,305
93	TX	CAA 112 CWA 301 EPCRA 312 RCRA	THE DOW CHEMICAL COMPANY	1/12/98	CACO	\$288,000	
94	TX	CERCLA 103	THE DOW CHEMICAL COMPANY	1/26/98	CACO	\$8,250	\$9,500
95	TX	RCRA	THE VALSPAR CORPORATION	1/05/98	CACO	\$29,500	
96	TX	EPCRA 313	TIC INVESTMENT CORP. F/K/A W. PAT CROW	2/13/98	CACO	\$64,336	
97	TX	CWA 301	TIGERLAND HOMES, L.L.C. - HUNTER'S TERRACE	3/06/98	A.O.		
98	TX	CWA 301	TRI STATE METALS, INC	2/17/98	A.O.		
99	TX	CWA 301	TYLER IRON AND METAL, INC.	1/30/98	A.O.		

1. A.O. = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is final/agreed amount.

3. SEP = Supplemental Environmental Project

#	State	Statute	Facility Name	Date Final	Type of Action ¹	Penalty Amount ²	SEP ³
100	TX	CWA 301	TYSON FOODS, INC.	1/22/98	CACO	\$48,000	
101	TX	CWA 301	VALERO REFINING COMPANY	1/30/98	A.O.		
102	TX	CAA 112	WESTERN ENVIRONMENTAL OF OKLAHOMA	3/06/98	A.O.		
103	TX	CWA 301	WESTLAKE MUNICIPAL UTILITY DISTRIBUTION WESTLAKE MUD #1	3/31/98	A.O.		
104	TX	CWA 301	WILLIAM NEIL RENFRO, D/B/A/ RENFRO HARD CHROME	3/31/98	A.O.		
105	TX	CWA 301	WINFIELD, CITY OF	1/30/98	A.O.		
106	TX	CWA 301	WYMAN-GORDON FORGINGS, INCORPORATED	3/06/98	A.O.		

1. A.O. = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is final/agreed amount.

3. SEP = Supplemental Environmental Project

Narrative Summary:

6. AMERICAN PRODUCTS, INC.: American Products has signed a Consent Agreement and Consent Order (CACO) and agreed to pay a penalty in the amount of \$18,700.00 for violations of the Emergency Planning and Community Right-to-Know Act, Section 313. American Products failed to submit Form R for Ammonia for reporting years 1994 and 1995. The CACO was fully executed and filed on March 20, 1998.

8. BARRY, BETTE, AND LED DUKE, AND BERKLEY INDUSTRIES, LTD., D.B.A. PARAMOUNT PROPERTIES, DALLAS, TX: On February 9, Region 6 signed and filed a Consent Order assessing a civil penalty of \$12,000 against Barry, Bette, and Led Duke, and Berkley Industries, Ltd., d.b.a. Paramount Properties, in an action for operation of a construction project in Dallas, Texas, without an NPDES storm water permit or pollution control measures.

9. & 10. BASIS PETROLEUM, INC., TEXAS CITY, TX: On March 6 a Joint Stipulation and Order of Dismissal was entered by the court for violations of the Clean Air Act (CAA). Basis Petroleum, Inc. agreed to pay \$250,000 for the violations.

14. BRK ELECTRONICS, INC.: On 2/26/98, a Complaint was filed against BRK Electronics Incorporated (Respondent). The Complaint alleged RCRA violations stemming from Respondent's failure to provide Land Disposal Restriction notices with hazardous waste shipments, failure to retain records on-site and failure to identify the correct foreign generator name and address on manifest. A settlement in principle of \$12,000 was agreed upon by the Respondent. The violations were observed during the review of a 3007 Request for Information.

19. COLEMAN WOOD PRODUCTS, INC.: Coleman Wood Products of Aubrey, Texas has signed a Consent Agreement and Consent Order (CACO) and agreed to pay a penalty in the amount of \$8,444.00 for violations of the Emergency Planning and Community Right-to-Know Act, Section 313. Coleman Wood Products failed to submit Form R for Toluene for reporting years 1993, 1995, and 1996. The CACO was fully executed and filed on March 3, 1998.

26. DELCO ELECTRONICS CORPORATION: On the 31st day of March, 1998, a Complaint and Consent Agreement and Consent Order (CACO) were simultaneously filed, settling an administrative case against Delco Electronics (Respondent). The Complaint alleged RCRA violations stemming from Respondent's importation of hazardous waste from maquiladora plants in Reynosa, Mexico. A \$5,400 penalty was agreed upon by the Respondent to settle the case.

34. EWD LLC: Complaint and Consent Agreement and Consent Order (CACO) were simultaneously filed, settling an administrative case against EWD LLC. (Respondent). The Complaint alleged RCRA violations stemming from Respondent's failure to retain copies of Land Disposal Restriction notifications on-site and failure to prepare and submit exception report. A \$9,900 penalty was agreed upon by the Respondent to settle the case. The violations were observed during the review of a 3007 Request for Information.

38. GULF COAST WASTE DISPOSAL: On March 4 Region 6 signed and filed a Consent Order assessing a civil penalty of \$56,000 to Gulf Coast to resolve a November 25, 1997 administrative action alleging NPDES permit violations involving 15 discharges to the Houston Ship Channel exceeding permitted effluent limitations from its Houston, Texas, waste treatment plant.

53. KMCO, INC.: KMCO has signed a Consent Agreement and Consent Order (CACO) and agreed to pay a penalty in the amount of \$31,875.00 for violations of the Emergency Planning and Community Right-to-Know Act, Section 313. KMCO failed to submit Form R for N-Butanol and Glycol Ethers for reporting years 1992 and 1993. The CACO was fully executed and filed on March 12, 1998.

59. MCMASTER PLATING, INC.: On February 25 an Air Administrative Order was filed.. McMaster has 45 days to come in compliance with the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks and to provide documentation of such compliance.

78. REYNOLDS METALS: On March 5, 1997, a warning letter was sent to Reynolds Metals (Respondent) settling RCRA violations. The warning letter alleged RCRA violations stemming from Respondent's failure to comply with manifesting requirements.

89. SUNKYONG AMERICA, INC., HOUSTON, TX: On March 31 Region 6 filed a fully-executed Consent Agreement/Consent Order (CACO) to resolve a Toxic Substances Control Act (TSCA) administrative action. Sunkyong will pay a penalty of \$124,700 to resolve various reporting violations that were found during an inspection conducted in February 1997. The violations included failure to submit a letter of intent to test the chemical substance, Cumene.

92. TEXAS INDUSTRIES, INC. (TXI), MIDLOTHIAN CEMENT PLANT: TXI to pay a civil penalty of \$2,500.00, and spend at least \$185,305.00 on a Supplemental Environmental Project (SEP) per a Consent Agreement and Consent Order (CACO) issued on March 20, 1998, in settlement of a Complaint and Notice of Opportunity for Hearing (Complaint) issued on September 10, 1997, and a First Amended Complaint and Notice of Opportunity for Hearing (Complaint) issued on February 2, 1998, pursuant to Section 16 of the Toxic Substances Control Act (TSCA). It was alleged that TXI violated the polychlorinated biphenyl (PCB) regulations promulgated at 40 C.F.R. Part 761. Specifically, the Complaint charged TXI with failure to comply with 40 C.F.R. § 761.40(j) by failing to mark the entrances to 4 PCB Transformers and failure to comply with 40 C.F.R. § 761.180(a) by failing to prepare, maintain and make available to EPA for inspection its PCB Annual Document Log for calendar years 1991 through 1995.

93. DOW CHEMICAL CORPORATION, FREEPORT, TEXAS: The Region filed a multimedia Complaint 09/17/97 against Dow Chemical Corporation for violations of the Clean Air Act, the Clean Water Act, the Emergency Planning and Community Right-to-Know, and the Resource Conservation and Recovery Act. A settlement in principle was reached assessing and a final penalty of \$287,100.00 plus injunctive relief was filed 01/12/98.

96. TIC INVESTMENT CORP. F/K/A W. PAT CROW FORGINGS, INC.: W. Pat Crow of Fort Worth, Texas has signed a Consent Agreement and Consent Order (CACO) and agreed to pay a penalty in the amount of \$64,336.00 for violations of the Emergency Planning and Community Right-to-Know Act, Section 313. W. Pat Crow failed to submit Form R for Nickel and Chromium for reporting years 1989, 1990, and 1991. The CACO was fully executed and filed on February 13, 1998.